

Appl. No. 10/734,335
Amdt. Dated 6/27/2007
Reply to Office action of 4/13/2007

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed April 13, 2007.

In the Office Action, the Examiner objected to claims 1-27 and the specification and rejected claims 1, 4, 10, 13, 19, and 22 under 35 U.S.C. § 102 and claims 2, 3, 5, 9, 11, 12, 14-18, 20, 21, and 23-27 under 35 U.S.C. § 103.

Applicant has amended independent claims 1, 10 and 19 to clarify embodiments of the invention.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Specification

The Office Action objects to the Specification because it lacks a summary section and requests that Applicant add such a section. However, the undersigned Attorney respectfully points out that neither the Manual of Patent Examining Procedure (MPEP), nor 37 C.F.R. § 1.77(b), nor 37 C.F.R. § 1.73 requires the presence of a "Summary of the Invention" section in a patent application. They merely indicate in the application that the "Summary of the Invention" section should be placed therein if Applicant elects to include one. In particular, 37 C.F.R. § 1.73 only states that "[a] brief summary of the invention...should precede the detailed description." 37 C.F.R. § 1.73 does not state "must" or "shall".

Accordingly, Applicant has elected not to include a "Summary of the Invention" section as this is within the discretion of the Applicant.

Withdrawal of this objection to the Specification is respectfully requested.

Claim Objections

Claims 1-27 stand objected to in view of various informalities cited by the Examiner. Applicant has amended claims 1, 3-6, 8, 10, 12-15, 16, 17, 19, and 21-24, and 26 as requested by the Examiner.

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Applicant respectfully requests that the Examiner remove the objections to the claims.

Rejections Under 35 U.S.C. § 102 and § 103

Claims 1, 4, 10, 13, 19, and 22 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by US. Publication No. 2004/0199775 to Ser et al. (hereinafter Ser). Further, the original dependent claims stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious over Ser in view of various cited references such as U.S. Patent No. 4,790,564 issued to Larcher et al., U.S. Patent No. 6,763,127 issued to Lin et al., and U.S. Patent Publication No. 2003/0007671 to Ailisto et al.

Applicant has amended independent claims 1, 10, and 19 to clarify embodiments of the invention. In particular, Applicant has amended independent claims 1, 10, and 19 such that they at least recite limitations generally related to: defining a plurality of minutia in a fingerprint image including data related to x, y coordinates and an angle for a minutia...estimating a score associated with the minutia corresponding to a validity of the minutia including noise associated with the minutia for the fingerprint image...and...matching the fingerprint image against one or more sample fingerprint images utilizing a two-dimensional partial point set pattern matching (PSPM) algorithm under translation and rotation utilizing the score. (Emphasis added).

Applicant respectfully submits that these limitations of Applicant's amended independent claims 1, 10, and 19 are not taught or suggested by Ser alone or in combination with the other references cited by the Office Action such as Larcher, Lin, Ailisto, or the other references cited in the Office Action.

Applicant respectfully submits that amended independent claims 1, 10, and 19 are clearly patentable over the prior art of record and should be allowable, as well as the claims that depend therefrom.

Applicant respectfully requests that the Examiner allow amended independent claims 1, 10, and 19, and the claims that depend therefrom, and pass these claims to issuance.

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Conclusion

In view of the remarks made above, it is respectfully submitted that pending claims 1, 3-6, 8, 10, 12-15, 17, 19, 21-24, and 26 are allowable over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 6/27/2007

By

Eric T. King

Reg. No. 44,188

Tel.: (714) 557-3800 (Pacific Coast)

Attachments

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025

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Nicole Erquiga

6/27/2007

Date